



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Number: 200300637

Date: May 9, 2005

Comments Due: June 8, 2005

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Roseville Energy Park (REP) project, which would result in permanent impacts to approximately 1.126 acres of seasonal wetlands and 0.006 acre of waters of the U.S., for a total of 1.132 acres. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Tom Habashi
Roseville Electric Utility Director
2090 Hilltop Circle
Roseville, California 95747
916-774-5697

LOCATION: The REP project site is located on Phillips Road within the western limits of the City of Roseville, Placer County, California. It is adjacent to, and north of, the Pleasant Grove Waste Water Treatment Plant (PGWWTP). The site is located on the Pleasant Grove 7.5' quadrangle, Township 11N, Range 5E, Section 23.

PROJECT DESCRIPTION: Roseville Electric (RE) is proposing to construct an approximately 125-MW power plant on City of Roseville's property. The purpose of the proposed project, identified as Roseville Energy Park (REP), is to provide a reliable source of electricity and stable rates to the residents of the City. The applicant proposes to construct and operate the power plant within a 10.9-acre footprint to accommodate the generation facilities, control/administration building, emission control equipment, storage tanks, gas compressor station, storm water pond, parking area, and RE's electrical switchyard. The project would include a water pipeline extending south to the PGWWTP, which will provide tertiary treated water to the REP. A natural gas pipeline would be constructed and owned by Pacific Gas and Electric to supply natural gas to REP. The 1.5-mile gas pipeline would be constructed within a 35-foot-wide utility easement that has been planned as part of the West Roseville Specific Plan (WRSP) and is covered in the USFWS Biological Opinion for WRSP (Service File 1-1-03-F-0013) and Department of the Army Permit number 200200666. A storm water outfall structure would be constructed in an unnamed tributary to Pleasant Grove Creek to drain storm water runoff from the site.

The REP fenced power plant footprint requires 10.9 acres. This includes a 9.4-acre power plant area and a 1.5-acre switchyard. A temporary construction zone will encompass 7.4 acres that includes construction parking and office area. An additional 1.0 acre would be disturbed within 50-foot construction corridors along the stormwater and sanitary water pipelines. The total permanent and temporary construction disturbance area on the 70-acres of City owned property is 18.9 acres. Of the 18.9 acres affected, 11.5 acres are considered vernal pool grassland habitat.

Construction activities would result in the direct loss of 1.126 acres of seasonal wetlands and 0.006 acre of waters of the U.S. Approximately 0.552 acre of the seasonal wetlands is considered habitat for the federal threatened vernal pool fairy shrimp (*Branchinecta lynchi*). Indirect impacts would occur to an additional 2.504 acres of vernal pool fairy shrimp habitat within 250 feet of the project construction boundaries.

ADDITIONAL INFORMATION:

Environmental Setting. The 18.9-acre REP project area is within a 70-acre property owned by the City of Roseville. Approximately 11.5 acres of the project area is comprised of vernal pool grassland habitat, the remaining portion was developed for use as farm structures and driveways. The area was historically grazed by cattle and was recently used as a laydown area for construction of the PGWWTP. The project site is situated within U.S. Fish and Wildlife Service designated Critical Habitat Unit 12 for vernal pool fairy shrimp (*Branchinecta lynchi*). Wetlands consist of seasonal wetlands and swales, waters of the U.S. consist of the unnamed tributary to Pleasant Grove Creek.

Alternatives. The applicant has provided information concerning project alternatives in the Application For Certification (AFC), dated October 30, 2003, that was filed with the California Energy Commission (CEC) on under Title 20 of the California Code of Regulations (see web site at <http://www.energy.ca.gov/sitingcases/roseville/index.html>). The alternatives include sites in and adjacent to the City of Roseville that are within reasonable distance to supporting facilities such as natural gas pipeline, electric transmission lines, process and potable water, and wastewater facilities.

Mitigation. The Corps require that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The project proponent is proposing a combination of onsite mitigation measures to protect wetlands adjacent to the project site and to preserve and create compensatory wetland habitat off site for direct impacts to waters of the U.S., including wetlands. In addition, the applicant will provide compensatory habitat for the indirect impacts to seasonal wetlands that are considered vernal pool fairy shrimp habitat.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification from the Central Valley Regional Water Quality Control Board, as required under Section 401 of the Clean Water Act, is required for this project.

A U.S. Fish and Wildlife Service Biological Opinion will be required for the project under Section 7 of the Federal Endangered Species Act.

RE filed an Application for Certification (AFC) for the REP project with the California Energy Commission (CEC) on October 30, 2003, under Title 20 of the California Code of Regulations. The Final Decision is expected April 13, 2005.

A California Department of Fish and Game streambed alteration agreement is required for constructing the storm water outfall.

HISTORIC PROPERTIES: Cultural resources were evaluated during the Application For Certification process. No features were identified in the project area that would be eligible for listing in the National Register of Historic Places (NRHP). The ground disturbance activities would be monitored during construction by a qualified archeological monitor.

ENDANGERED SPECIES: The proposed activity would affect Federally-listed species and critical habitat. The Corps initiated formal consultation with U.S. Fish and Wildlife Service under Section 7 of the Federal Endangered Species Act on March 29, 2005, for impacts to threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and designated critical habitat.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality,

general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 200300637, must be submitted to the office listed below on or before June 8, 2005:

Tom Cavanaugh, Project Manager
US Army Corps of Engineers, Sacramento District
Sacramento Valley Office
1325 J Street, Room 1480
Sacramento, California 95814-2922
Email: Thomas.J.Cavanaugh@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Tom Cavanaugh, 916-557-5261, Thomas.J.Cavanaugh@usace.army.mil.

ATTACHMENTS:

- A- Vicinity Map
- B- Project Plan View (3)
- C- Locations of Wetlands and Other Waters of the United States